BINGHAM McCUTCHEN LLP
DONN P. PICKETT (SBN 72257)
GEOFFREY M. HOWARD (SBN 157468)
HOLLY A. HOUSE (SBN 136045)
ZACHARY J. ALINDER (SBN 209009)
BREE HANN (SBN 215695)
Three Embarcadero Center
San Francisco, CA 94111-4067
Telephone: (415) 393-2000
Facsimile: (415) 393-2286
donn.pickett@bingham.com
geoff.howard@bingham.com
holly.house@bingham.com
zachary.alinder@bingham.com
bree.hann@bingham.com

BOIES, SCHILLER & FLEXNER LLP
DAVID BOIES (Admitted *Pro Hac Vice*)
333 Main Street
Armonk, NY 10504
Telephone: (914) 749-8200
Facsimile: (914) 749-8300
dboies@bsfllp.com
STEVEN C. HOLTZMAN (SBN 144177)
1999 Harrison St., Suite 900
Oakland, CA 94612
Telephone: (510) 874-1000
Facsimile: (510) 874-1460
sholtzman@bsfllp.com
fnorton@bsfllp.com

DORIAN DALEY (SBN 129049)
JENNIFER GLOSS (SBN 154227)
500 Oracle Parkway, M/S 5op7
Redwood City, CA 94070
Telephone: (650) 506-4846
Facsimile: (650) 506-7114
dorian.daley@oracle.com
jennifer.gloss@oracle.com

Attorneys for Plaintiffs
Oracle USA, Inc., *et al.*

Robert A. Mittelstaedt (SBN 060359)
Jason McDonell (SBN 115084)
Elaine Wallace (SBN 197882)
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
Telephone: (415) 626-3939
Facsimile: (415) 875-5700
ramittelstaedt@jonesday.com
jmcdonell@jonesday.com
ewallace@jonesday.com

Tharan Gregory Lanier (SBN 138784)
Jane L. Froyd (SBN 220776)
JONES DAY
1755 Embarcadero Road
Palo Alto, CA 94303
Telephone: (650) 739-3939
Facsimile: (650) 739-3900
tglanier@jonesday.com
jfroyd@jonesday.com

Scott W. Cowan (Admitted *Pro Hac Vice)*
Joshua L. Fuchs (Admitted *Pro Hac Vice*)
JONES DAY
717 Texas, Suite 3300
Houston, TX 77002
Telephone: (832) 239-3939
Facsimile: (832) 239-3600
swcowan@jonesday.com
jlfuchs@jonesday.com

Attorneys for Defendants
SAP AG, SAP AMERICA, INC., and
TOMORROWNOW, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ORACLE USA, INC., et al.,

Plaintiffs,

v.

SAP AG, et al.,

Defendants.

Case No. 07-CV-1658 PJH (EDL)

STIPULATION AND [~~PROPOSED~~] ORDER TO EXTEND TEMPORARY STAY OF EXECUTION OF JUDGMENT AND STIPULATED REQUEST TO EXTEND BRIEFING SCHEDULE

Stipulation to Extend Temporary Stay of Execution of Judgment

WHEREAS, the Court entered final judgment in the above-captioned matter on February 3, 2011 (ECF No. 1036);

WHEREAS, Rule 62(a) of the Federal Rules of Civil Procedure provides that "no execution may issue on a judgment, nor may proceedings be taken to enforce it, until 14 days have passed after its entry," Fed. R. Civ. P. 62(a);

WHEREAS, at the Parties' request, the Court granted a temporary stay of execution of final judgment, which will expire on March 10, 2011;

WHEREAS, the Parties continue to negotiate an appropriate security for the judgment;

WHEREAS, the Parties agree to: (i) extend the temporary stay of execution for an additional 14 days, and (ii) should Defendants file a motion pursuant to Rules 62(b) and 62(d) of the Federal Rules of Civil Procedure to stay of execution of final judgment pending disposition of post-judgment motions and, if necessary, an appeal by having the Court set an appropriate security ("Rule 62(b) and 62(d) Motion") within that 14-day time period, extend the temporary stay of execution through the Court's ruling on the Rule 62(b) and 62(d) Motion;

NOW, THEREFORE, IT IS HEREBY STIPULATED by the Parties, through their respective counsel of record, that execution of judgment shall be stayed until March 24, 2011, or, should Defendants file a Rule 62(b) and 62(d) Motion on or before March 24, 2011, that execution of judgment shall be stayed through the Court's ruling on the Rule 62(b) and 62(d) Motion.

Stipulated Request to Extend Briefing Schedule

Pursuant to Civil Local Rules 6-2, 6-12, and 7-4, the Parties submit this stipulated request to extend the briefing schedule for post-judgment briefs filed pursuant to Rule 50(b) and Rule 59 of the Federal Rules of Civil Procedure (the "Post-Trial Motions").

Following the filing of the Parties' February 18, 2011 Stipulated Request, Dkt. No. 1041, the Court set a briefing and hearing schedule for the Post-Trial Motions in the Court's February 23, 2011 Order, Dkt. No. 1043. Given the complexity of the issues addressed in the Post-Trial Motions, good cause exists for a minor extension of the time to file Opposition and Reply Briefs.

Specifically, the Parties jointly request that the Court grant an additional 9-day extension to file Opposition Briefs and an additional 5-day extension to file Reply Briefs. As the current hearing date set by the Court is July 13, 2011, the Parties do not believe that the requested additional extension of time, which still provides the Court approximately 2.5 months to consider the Parties' briefing, will impact the hearing date or the Court's consideration of the Post-Trial Motions.

Accordingly, the Parties request that the Court modify the briefing schedule as follows:

April 8	Deadline to file Opposition Briefs
April 27	Deadline to file Reply Briefs
July 13	Hearing

The only purpose of this request is to extend the briefing deadlines as noted above, and thus, this request neither affects any other rights or obligations of the Parties, nor impacts the briefing page limits or briefing description set forth in the Parties' February 18, 2011 Stipulated Request, Dkt. No. 1041, and approved by the Court's February 23, 2011 Order, Dkt. No. 1043.

IT IS SO STIPULATED.

Dated: March 9, 2011

Bingham McCutchen LLP

By: /s/ Geoffrey M. Howard
Geoffrey M. Howard
Attorneys for Plaintiffs
Oracle USA, Inc., Oracle International Corporation, and Siebel Systems, Inc.

In accordance with General Order No. 45, Rule X, the above signatory attests that concurrence in the filing of this document has been obtained from the signatory below.

Dated: March 9, 2011

JONES DAY

By: /s/ Tharan Gregory Lanier
Tharan Gregory Lanier

Counsel for Defendants
SAP AG, SAP AMERICA, INC., and
TOMORROWNOW, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 3/10/11

By: _____
Hon. Phyll
United Stat ge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Judge Phyllis J. Hamilton